

County of Loudoun
Department of Planning
MEMORANDUM

DATE: May 12, 2010
TO: Loudoun County Planning Commission
FROM: Rodion Iwanczuk *RI*
Project Manager, Community Information & Outreach
SUBJECT: May 19, 2010 Planning Commission Worksession:
SPEX 2010-0005 Hamilton Well 14, Stone Eden Property

BACKGROUND:

The Planning Commission held a Public Hearing on SPEX 2010-0005, Hamilton Well 14-Stone Eden Property application on April 28, 2010. Three members of the public spoke, all in opposition to the application. Concern was expressed about the impact on individual wells of the Town of Hamilton's use of Well 14, what mitigation would be provided if individual wells dried up, the lighting impact on the neighbor to the west, and the noise that would emanate from an emergency generator.

A community meeting is scheduled for May 13, 2010, to be held at Harmony Intermediate School. Letters of invitation were sent to all property owners located within a half-mile radius of the Well 14 property. Hamilton officials are formulating a process through which investigation would be made to determine reasons that wells might be affected. Other mitigation measures established by the Town of Hamilton through the Pumping, Monitoring and Mitigation Plan for Hamilton Well 14 approved by Loudoun County in October, 2007 include:

1. Well monitoring of adjacent wells for at least two years and potentially beyond that point upon consultation between the Town's water supply consultant and County hydrogeologists (County staff has already indicated that monitoring would extend longer than two years);
2. Limiting volume of water drawn from Well 14;
3. Limiting the hours that water may be pumped from Well 14 (pumping schedules);
3. Lowering pumps of impacted wells;
4. Well rehabilitation efforts (deepening or reaming impacted wells);
5. Other effort to provide water supply to offsite wells critically impacted by use of Well 14.

At the Public Hearing, comments from the Planning Commission concerned:

- Planned mitigation of well impacts on individual property owners;
- Installation of a shield to the control building light;
- Noise impact due to emergency generator operation;
- Meeting with abutting property owners and scheduling of a community meeting with area residents.

To allow for further discussion, the Commission voted 9-0 to forward the application to worksession.

Town of Hamilton officials and staff from the County and the Loudoun County Public Schools met with the abutting property owners to the west and northwest who continue to have concerns about the impact of Well 14 upon their individual wells.

Revised Conditions of Approval based upon the meeting with the owners of the abutting properties and the community meeting will be distributed to Commissioners prior to the Worksession on May 19.

SUGGESTED MOTIONS:

1. I move that the Planning Commission forward SPEX 2010-0005, Hamilton Well 14-Stone Eden Property, to the Board of Supervisors with a recommendation of approval subject to the Special Exception Plat prepared by Stantec Consulting Services, Inc., dated March, 2010 and revised through April 28, 2010, Conditions of Approval dated May 19, 2010, and with the attached Findings.

OR,

2. I move that the Planning Commission forward SPEX 2010-0005, Hamilton Well 14-Stone Eden Property, to a work session for further review.

OR,

3. I move an alternate motion.

ATTACHMENTS:

1. Conditions of Approval dated April 28, 2010
2. Findings

**Hamilton Well 14, Stone Eden Property, SPEX 2010-0005
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CONDITIONS OF APPROVAL, April 28, 2010

1. **Special Exception Plat.** The Special Exception use, structure or use for local governmental purposes (public well), shall be developed in substantial conformance with the revised Outlet Lot "A", Well Lot, Town of Hamilton Special Exception Plat prepared by Stantec Consulting Services, Inc., dated March, 2010 and revised through April 28, 2010, and the Revised 1993 Loudoun County Zoning Ordinance. Approval of this application for Tax Map /45//37//WELL/ (PIN # 454-20-8349) (the "Property") shall not relieve the applicant or the owners of the Property from the obligation to comply with and conform to any other Zoning Ordinance, Codified Ordinance, or applicable regulatory requirement.
2. **Pumping, Monitoring, and Mitigation Plan.** Use of the well on the Property ("Well 14") shall be in accordance with the provisions of the accepted Pumping, Monitoring and Mitigation Plan (PMMP) for Town of Hamilton Well 14, dated October 15, 2007, including but not limited to pumping, monitoring, and potential mitigation of impacts due to the use of Well 14.
3. **Noise Attenuation.** The Applicant shall install an earthen berm on the Property at least four (4) feet in height, between the generator and the northern property boundary. The berm will begin at approximately the eastern end of the existing control building and run approximately 70 feet in an easterly direction. The berm shall be completed within 60 days after issuance of the zoning permit for the generator. Until the berm has been completed, the generator shall not be operated for more than thirty (30) minutes per week, and any such operation shall be only between the hours of 10:00 a.m. and 4:00 p.m., Monday through Friday. After installation of the berm, the noise level of the generator will be tested to document that the noise level does not exceed 55 dBA, measured at the northern property line. Such measurement shall be continuous noise measured using a slow meter response of the sound level meter. Should additional noise mitigation be necessary, a board on board fence will be installed on the berm. The Applicant will work with the County Urban Forester to provide suitable landscaping of the berm. The plantings may include a mix of low maintenance shrubs and trees and will consist of a planting density similar to a Type 2 side/rear buffer. The Applicant shall provide documentation that noise created by operation of the generator is in compliance with the noise standards of Section 5-1507 of the Revised 1993 Zoning Ordinance.
4. **Generator Test** A generator test lasting for one half-hour shall be scheduled each week between the hours of 10:00 a.m. and 4:00 p.m., Monday through Friday.

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SPECIAL EXCEPTION FINDINGS, April 28, 2010

1. Placing Town and County facilities in Joint Land Management Areas (JLMAs) and in the Rural Policy Area adjacent to Town JLMAs is consistent with the Revised General Plan and the Comprehensive Plan for the Town of Hamilton and JLMA.
2. The application conforms to the Pumping, Monitoring, and Mitigation Plan for the Town of Hamilton's Well 14, as approved by the Loudoun County Department of Building and Development, submitted in lieu of completing a Hydrogeological Survey as required by Section 6.240 of the Loudoun County Facilities Standards Manual.
3. Sufficient distance to neighboring residences and an existing treeline on the applicant's property will provide the necessary buffering to allow the requested modification of Revised 1993 Zoning Ordinance Section 5-1400 regulations requiring a Type Two (2) buffer yard and screening, eliminating the landscape screening.
4. The application conforms to the Revised 1993 Zoning Ordinance for use of a municipal well, control building, and emergency electric generator in JLMA-3 and A-3 zoning districts.